



**CITY OF BURLINGTON
BOARD OF HEALTH**

645 Pine Street
Post Office Box 849
Burlington, VT 05402-0849
802-863-0442
802-652-4221 FAX
802-863-0450 TTY

BOARD OF HEALTH

Alan R. Sousie, Chair • Fernand C. Crete • Ian C. Galbraith • Mary D. Hart • James Vos

BOARD STAFF ASSISTANT

Margaret Van Brunt

HEALTH OFFICER

Kathleen Butler

**BOARD OF HEALTH REGULAR MEETING
MONDAY, FEBRUARY 9, 2009**

The meeting was commenced at 5:00 p.m. on Monday, February 9, 2009 at 645 Pine Street in the Department of Public Works Front Conference Room. Present were Chair Sousie; Members Crete, Hart and Vos; Staff Assistant Van Brunt; Kevin Hurley, Burlington resident and with Swab-VT; and Geoff Golder with Swab-VT.

1. Approval of Agenda

There were no changes made to the agenda. Motion to accept agenda by Member Hart.
Seconded by Member Vos.

2. Approval of Minutes

Chair Sousie inquired whether all members had read the minutes. Chair Sousie commended Staff Assistant Van Brunt for minutes. No changes made to minutes. Motion to accept minutes by Member Vos. Motion seconded by Member Hart.

3. Follow-up: Burlington Board of Health Youth Membership

Chair Sousie asked Staff Assistant Van Brunt if she had obtained any information regarding the question of whether a youth member would be able to vote. Staff Assistant Van Brunt stated that Eugene Bergman, Esq. of the City Attorney's Office had informed her that a youth member would not have any voting privileges. Chair Sousie acknowledged this information and mentioned that the Board could conduct mock votes with a youth member if desired. In discussion of this idea, Member Crete suggested that a youth member should confer with his or her mentor from the Board regarding voting and voting processes. Member Crete stated that a youth member should be able to contribute even if they cannot vote. Chair Sousie agreed. Chair Sousie stated he believes the relationship between the youth member and the mentors should be open and truthful so as to cultivate the discussion of issues being addressed by the Board. Chair Sousie asked

An Equal Opportunity Employer

This material is available in alternative formats for persons with disabilities. To request an accommodation, please call 802.863.9094 (voice) or 802.863.0450 (TTY).

Members Vos and Hart, who volunteered to be mentors, to contact the Legacy Project to move forward in the placement of two youths with the Burlington Board of Health.

4. Public Forum

Chair Sousie opened the floor for the Public Forum. Kevin Hurley, Burlington resident (Ward 5) and from Swab-VT, thanked the Board members for their time in considering Mr. Hurley's presentation on water fluoridation in past meetings. Mr. Hurley asked that the Board consider assisting in finding an alternative to water fluoridation, suggesting that it may be more popular with others if the issue is approached from this angle. Mr. Hurley also extended an invitation to the Board members to attend any future forums he and his organization at Swab-VT will have. Mr. Hurley reported that he and his organization were recently invited to speak at a meeting of the Vermont Association of Dental Assistants. Mr. Hurley stated that the VT Department of Health had contacted the association looking for a letter of support for water fluoridation, but following the presentation, the organization voted to not support water fluoridation. Chair Sousie requested that Staff Assistant Van Brunt communicate directly with Mr. Hurley via email regarding this information.

Geoff Golder with Swab-VT also thanked the Board members for their time and effort regarding the fluoridation matter.

Seeing no other members of the public wishing to address the Board, Chair Sousie closed the Public Forum.

5. Final Consideration of Pesticide Ordinance Revision Draft

Chair Sousie informed the Board that Health Officer Butler was unable to finish the Pesticide Ordinance Revision Draft for this meeting and that Health Officer Butler is hoping to have the draft prepared for the Board by the March 11 meeting. Chair Sousie stated that the draft the Board receives from Health Officer Butler will be the final draft. Chair Sousie also mentioned that if the draft is approved at the March meeting, the Board should consider holding at least one more public hearing. Staff Assistant Van Brunt noted that citizens have been contacting her with questions about the Pesticide Ordinance Revision Draft. Chair Sousie stated the Board will plan to hold another public hearing before the document is sent to the City Council, but that the date of the public hearing will not be decided until the Board has looked at and approved the draft. In response to Staff Assistant Van Brunt's statement that citizens had requested to view a copy of the Pesticide Ordinance Revision Draft, Member Vos questioned whether the draft should be made available for viewing by the public. Chair Sousie stated the draft should not and will not be made available for viewing by the public until the Board has approved it.

Staff Assistant Van Brunt brought up questions from citizens for the Board to consider. Discussion of these questions followed. Chair Sousie stated that the Board will ultimately be unable to answer these questions until the draft has been reviewed and some research has been done. Chair Sousie requested the Staff Assistant Van Brunt respond to the citizens' questions, informing them that the draft is still being developed, that there will be

a public hearing, and that the Board hopes to have some answers to these questions when the draft is finalized.

6. Follow-up: City Water Fluoridation

- a) Quality assurance request from Burlington DPW- Water Division and Monson Companies (the product distributor)

Chair Sousie stated he had contacted the Burlington Water Department and Monson Companies to request information on water quality assurances, if there was any such information. Chair Sousie stated he had not received a response from the Monson Companies but that the Water Department provided information sheets pertaining to the fluoride that is put in the Burlington water supply. The Board took a moment to look over the information sheets. Discussion followed.

- b) Request for Legal Review by City Attorney of Correspondence from Oregon

Chair Sousie stated he spoke with City Attorney Ken Shatz about reviewing the letter from the dentist in Oregon. Chair Sousie stated he put in a formal written request with City Attorney Shatz but has not yet heard back. Chair Sousie stated he anticipates a written response to his request.

- c) City Council Public Forum Testimonies by Board Members

Chair Sousie stated that he and Member Vos had both testified at the last City Council meeting. Chair Sousie stated he submitted his testimony in writing and that Member Vos presented the resolution passed by the Board.

Chair Sousie stated the Board has an invitation from the NPA Ward 5 to come speak at their meeting on Wednesday, March 18, which will take place in the Department of Public Works Front Conference Room at 645 Pine Street. Chair Sousie stated the NPA Ward 5 is looking for an explanation of the current water fluoridation issue. Chair Sousie stated he had let the NPA Ward 5 know that someone from the Board will attend. Chair Sousie asked Board members who would like to go to this meeting. All members present, Members Vos, Crete, and Hart, in addition to Chair Sousie, wish to attend this meeting. Chair Sousie stated he believes Member Galbraith will also want to attend. Noting that Member Galbraith may not have known the Board of Health meeting was taking place that night, Chair Sousie requested that Staff Assistant Van Brunt contact Member Galbraith the next day to advise him that the Board would not be meeting on the originally scheduled date of Wednesday, February 11.

Chair Sousie stated that he and Health Officer Butler decided the Board should look into having the March 11th meeting at the new Armory building instead of the Heineberg Center. Chair Sousie requested that Staff Assistant Van Brunt look into scheduling a conference room.

7. Chairman's Report

a) Follow-up: Hookah Smoking Rule

Chair Sousie stated he called Wendy Davis's office regarding the Hookah Smoking Rule proposal and was informed by the assistant that the document is still being reviewed. Chair Sousie stated he will continue contacting Dr. Davis's office in the hopes of moving the deliberation process along.

8. Member Reports

Member Vos stated he and Member Galbraith did a presentation at St. Paul's Cathedral on Emergency Preparedness. Member Vos stated they spoke for about an hour and that he felt the presentation was successful. Member Vos stated he spoke with both Tom Middleton and Chief O'Neil regarding this topic, and that Chief O'Neil stated he has been in contact with a number of organizations. Member Vos stated that Chief O'Neil had mentioned that many of these organizations are working on memorandums of understandings regarding this topic. Member Vos also stated that Chief O'Neil's goal is for every family in the city to have a copy of the Emergency Preparedness pamphlet. Member Vos stated his thought is that maybe administrative staff in churches could put the Emergency Preparedness pamphlets on information tables and encourage people to take one. Discussion followed. Chair Sousie requested that Member Vos inform Staff Assistant Van Brunt if he receives many more requests for presentations like this for tracking purposes.

9. Staff Reports

a) Follow-up: Homeless Camp on Elks Club property

Staff Assistant Van Brunt stated that she had attempted to contact the Elks Club several times regarding this issue but has been unsuccessful. Chair Sousie stated that it was discovered by a Code Enforcement inspector who visited the site that the encampment either disbanded or has moved further back into the woods. Chair Sousie stated that Health Officer Butler informed Chair Sousie that the Police Chief had told her that there are about twenty to twenty-five truly homeless people, meaning people who cannot be admitted into homeless shelters because they are in extremely poor condition. Chair Sousie noted that it is possible that this encampment will return when the weather warms up. Chair Sousie stated Health Officer Butler stated that Code Enforcement inspectors will periodically do site inspections as the weather warms up. Chair Sousie noted that Staff Assistant Van Brunt has been attempting to make contact with the Elks Club to inform them that they should immediately call the Code Enforcement Office if they discover a situation like this. Chair Sousie also noted that the woods behind the North Avenue Alliance Church is a place where homeless people sometimes congregate and that he believes the North Avenue Alliance Church would contact officials if they noticed a situation like this.

Staff Assistant Van Brunt brought up a citizen's concern regarding the presence of dogs in the Starbucks on Church Street. The citizen had emailed Staff Assistant Van Brunt requesting comment from the Board of Health on a situation the citizen experienced in which a dog, which appeared to the citizen to not be an aid dog, was allowed to sit in the store with its owner. The citizen believed this situation was a health concern. Chair Sousie stated he believes this issue falls to the Vermont Department of Health, which regulates food and lodging health issues. Chair Sousie requested that Staff Assistant Van Brunt inform the citizen that this issue should be directed to the Food and Lodging Program in the Vermont Department of Health

10. Adjournment

Chair Sousie called for adjournment. No objections. Meeting adjourned.